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20 Attorneys for Plaintiff  
21 CHURCH OF SCIENTOLOGY OF CALIFORNIA

22 SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
23 COUNTY OF LOS ANGELES

24 RELIGIOUS TECHNOLOGY CENTER, )  
25 A California Non-Profit Religious )  
26 Corporation, CHURCH OF SCIENTOLOGY )  
27 INTERNATIONAL, a California )  
28 Non-Profit Religious Corporation, )  
29 CHURCH OF SCIENTOLOGY OF )  
30 CALIFORNIA, a California )  
31 Non-Profit Religious Corporation, )

32 Plaintiffs, )

33 v. )

34 JOSEPH A. YANNY, an individual, and )  
35 JOSEPH A. YANNY, a Professional Law )  
36 corporation, and DOES 1-25, )  
37 inclusive, )

38 Defendants. )

FILED

Sept 13, 91

JAMES H. DEMPSEY, CLERK

BY

DEPUTY

NO. BC 033035

PRELIMINARY INJUNCTION

Date: None

Dept: 41

Time: None

Trial Date: Oct. 21, 1991

No motion cut-off

No discovery cut-off

EXHIBIT 12



1 This matter came before the Court on August 6, 1991 on  
2 plaintiffs' Application for Preliminary Injunction. The Court,  
3 having read and considered the papers submitted by all parties in  
4 support of and in opposition to that application, and having  
5 heard the arguments of counsel, and being fully informed, now  
6 makes the following findings:

7 1. Yanny represented the plaintiffs for several years in  
8 a variety of different matters and acted as a coordinating  
9 attorney for them during most of that time, coordinating  
10 the majority of the litigation and many other legal matters in  
11 which they were involved during that period.

12 2. In the Statement of Decision rendered by this Court on  
13 July 18, 1990 in the prior case between these same parties,  
14 Religious Technology Center, et al. v. Yanny, et al., LASC  
15 Case No. C 690 211, the Court noted that Yanny had shown a ready  
16 willingness to disregard legal and ethical responsibilities owed  
17 to his former clients. It appears to the Court that Yanny has  
18 now chosen to disregard this warning language and has directly  
19 disregarded his ongoing responsibilities as plaintiffs' former  
20 attorney. A breach of Yanny's fiduciary duties to plaintiffs has  
21 now been directly manifested through Yanny's appearance as  
22 counsel of record for Vicki and Richard Aznaran against his  
23 former clients in Vicki Aznaran, et al. v. Church of  
24 Scientology of California, et al., No. CV-88-1786 JMI(Ex) in  
25 the United States District Court for the Central District of  
26 California as to matters which are substantially similar to those  
27 for which Yanny was formerly engaged by plaintiffs to safeguard  
28 their interests. That representation of the Aznarans was



1 undertaken without plaintiffs' consent, written or verbal, in  
2 violation of Business and Professions Code section 6068(e) and  
3 Rule of Professional Conduct 3-310(D). It does not appear that  
4 plaintiffs will ever consent to such representation of the  
5 Aznarans by Yanny.

6 3. The Court also finds that the plaintiffs have alleged  
7 that Yanny now represents another individual, Gerald Armstrong,  
8 a litigation adversary of plaintiffs, against plaintiffs, and  
9 that he does so without either the written or verbal consent of  
10 any plaintiff. Although this allegation raises an issue which  
11 is disputed and will be determined at trial, as Yanny denies  
12 that his representation of Armstrong as to Armstrong's literary  
13 matters is substantially related to his former representation of  
14 plaintiffs, his denial of such representation shows that he has  
15 no basis to protest issuance of a preliminary injunction against  
16 such representation.

17 4. The Court further finds that there is a likelihood that  
18 the plaintiffs will prevail on the merits of this matter, and  
19 that money damages are not adequate.

20 NOW, THEREFORE, IT IS ORDERED THAT:

21 1. A preliminary injunction be and hereby is issued  
22 enjoining defendants, Joseph A. Yanny and Joseph A. Yanny, A  
23 Professional Law Corporation, from engaging directly or  
24 indirectly in the following activities:

25 a) Yanny shall not represent the Aznarans directly or  
26 indirectly in any case against plaintiffs in this county;

27 b) In any actions filed prior to July 31, 1991, in  
28 which Yanny is counsel for the Aznarans against plaintiffs



1 or any other Scientology entity, Yanny shall be subject to  
2 an individual motion to disqualify in that county;

3 c) Yanny is precluded from initiating any case in the  
4 state or federal courts of this State as counsel for the  
5 Aznarans;


6 d) Yanny shall not represent Armstrong directly or  
7 indirectly in any legal proceeding against plaintiffs without  
8 plaintiffs' prior written consent or further court order;

9 e) Yanny shall not initiate any legal proceeding on  
10 behalf of Armstrong in any court of this state or federal court  
11 of this state for Armstrong against the plaintiffs;

12 f) In any actions filed prior to July 31, 1991, in  
13 which Yanny is counsel for Armstrong against plaintiffs  
14 or any other Scientology entity, Yanny shall be subject to  
15 an individual motion to disqualify in that county;

16 2. No bond is required of plaintiffs. Defendants  
17 specifically requested that no bond be required.

18 DATED: ~~August~~ <sup>Sept</sup> 18, 1991

19   
20 RAYMOND CARDENAS, SUPERIOR COURT  
21 JUDGE  
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